

Decision \_\_\_\_\_

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of Southern California Edison Company (U338E) for Authority to, Among Other Things, Increase Its Authorized Revenues for Electric Service in 2012, and to Reflect That Increase In Rates.

Application 10-11-015  
(Filed November 23, 2010)

**DECISION GRANTING COMPENSATION TO DISABILITY RIGHTS ADVOCATES  
FOR SUBSTANTIAL CONTRIBUTION TO DECISION 12-11-051**

<b>Claimant: Disability Rights Advocates (DisabRA)</b>	<b>For contribution to Decision 12-11-051</b>
<b>Claimed (\$): \$57,031.05<sup>1</sup></b>	<b>Awarded (\$): \$53,794.24 (reduced 5.7%)</b>
<b>Assigned Commissioner: Michael R. Peevey</b>	<b>Assigned Administrative Law Judge: Melanie Darling</b>

**PART I: PROCEDURAL ISSUES**

<b>A. Brief Description of Decision:</b>	Decision on Test Year 2012 General Rate Case for Southern California Edison, including adoption of MOU on accessibility issues.
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<sup>1</sup> DisabRA's original Intervenor Compensation Claim lists the total amount claimed as \$65,992.05. After reviewing DisabRA's timesheets it was determined that \$8,961.00 of this total corresponds to Implementation issues in connection with Decision (D.) 09-03-025 [22 hours in 2009; 5.3 hours in 2010; and 5.5 hours in 2011].

**B. Claimant must satisfy intervenor compensation requirements set forth in Public Utilities Code §§ 1801-1812:**

	<b>Claimant</b>	<b>CPUC Verified</b>
<b>Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):</b>		
1. Date of Prehearing Conference (PHC):	January 21, 2011	January 31, 2011
2. Other Specified Date for Notice of Intent (NOI):	N/A	N/A
3. Date NOI Filed:	March 1, 2011	Yes
4. Was the NOI timely filed?		Yes
<b>Showing of customer or customer-related status (§ 1802(b)):</b>		
5. Based on Administrative Law Judge (ALJ) ruling issued in proceeding number:	Application (A.) 10-11-015	Yes
6. Date of ALJ ruling:	June 3, 2011	Yes
7. Based on another CPUC determination (specify):	N/A	N/A
8. Has the Claimant demonstrated customer or customer-related status?		Yes
<b>Showing of “significant financial hardship” (§ 1802(g)):</b>		
9. Based on ALJ ruling issued in proceeding number:	A.10-11-015	Yes
10. Date of ALJ ruling:	June 3, 2011	Yes
11. Based on another CPUC determination (specify):	N/A	N/A
12. Has the Claimant demonstrated significant financial hardship?		Yes
<b>Timely request for compensation (§ 1804(c)):</b>		
13. Identify Final Decision:	Decision (D.) 12-11-051	Yes
14. Date of Issuance of Final Order or Decision:	December 10, 2012	Yes
15. File date of compensation request:	February 1, 2013	Yes
16. Was the request for compensation timely?		Yes

**C. Additional Comments on Part I:**

#	Claimant	CPUC	Comment
2	DisabRA		<p>Melissa Kasnitz was Managing Attorney at DisabRA and oversaw all of DisabRA's participation before the CPUC from before this Application was filed until July 1, 2011. At that time, Ms. Kasnitz left DisabRA and continued her representation of consumers with disabilities before the Commission from her new organization, the Center for Accessible Technology (CforAT). Based on an agreement between DisabRA and CforAT, CforAT requested and was granted permission to take over DisabRA's role in many proceedings that were pending at the time of Ms. Kasnitz's transition. No such request was made in this proceeding, and DisabRA has retained its status as an active party representing the concerns of Southern California Edison Company (SCE) customers with disabilities. However, in a separate agreement, DisabRA has retained the services of Ms. Kasnitz and CforAT to serve as its outside counsel in this proceeding. This agreement can be made available to the Commission for review upon request.</p> <p>In Section III.B., below, time records for Ms. Kasnitz when she was Managing Attorney at DisabRA are noted separately from records for work performed by Ms. Kasnitz as outside counsel.</p>

**PART II: SUBSTANTIAL CONTRIBUTION****A. In the fields below, describe in a concise manner Claimant's contribution to the final decision (see § 1802(i), § 1803(a) & D.98-04-059).**

Contribution	Specific References to Claimant's Presentations and to Decision	Showing Accepted by CPUC
1. DisabRA negotiated a bilateral settlement agreement with SCE to address issues of accessibility of SCE's services and facilities for its customers with disabilities. This agreement included provisions to follow up on a prior agreement regarding certain accessibility issues addressed in a settlement adopted in SCE's 2009 GRC and added new issues concerning accessible communications. The agreement was found to be reasonable in light of the whole record and in the public interest, and it was adopted without modification.	D.12-11-051 at 687-690 and Ordering Paragraph 41.	Yes
2. As permitted by the agreement reached between DisabRA and SCE in SCE's 2009 GRC (A.07-11-011 et al.) and approved by the Commission in D.09-03-025, this compensation request also includes time spent monitoring the implementation of the agreement in the prior GRC cycle, both prior to	<p>Section 11.1 of the 2009 GRC Settlement Agreement between DisabRA and SCE, submitted via a joint motion for approval on May 23, 2008 in A.07-11-011 et al., and adopted in D.09-03-025.</p> <p>Specifically, the 2009 Agreement states: "SCE agrees that DisabRA has made a substantial</p>	Yes

the filing of the 2012 GRC Application and while this proceeding has been pending. The work done to implement the prior agreement was necessary, and served as the basis for additional agreements in the current settlement.	contribution to this Proceeding, as defined by the Commission's Rules of Practice and Procedure and Section 1801 et seq. of the California Public Utilities Code. The Parties agree that it is appropriate for DisabRA to receive reasonable intervenor compensation for certain tasks performed to implement the Settlement, to the extent authorized by the Commission."	
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**B. Duplication of Effort (§§ 1801.3(f) & 1802.5):**

	<b>Claimant</b>	<b>CPUC Verified</b>
<b>a. Was the Office of Ratepayer Advocates (ORA)<sup>2</sup> a party to the proceeding?</b>	<b>Yes</b>	<b>Yes</b>
<b>b. Were there other parties to the proceeding with positions similar to yours?</b>	<b>No</b>	<b>Yes</b>
<b>c. If so, provide name of other parties:</b> While many other parties participated in the proceeding and a number of parties represented consumers (including vulnerable consumers), no other party addressed issued concerning disability access, which was the sole focus of DisabRA's role in the proceeding.		
<b>d. Describe how you coordinated with ORA and other parties to avoid duplication or how your participation supplemented, complemented, or contributed to that of another party:</b> DisabRA focused on the issue of disability access to the services and facilities offered by SCE, which was not addressed by any other party. Beyond this issue, DisabRA only participated minimally, to the extent necessary to generally follow the procedural developments during the GRC process.		<b>Yes</b>

**C. Additional Comments on Part II:**

<b>Claimant</b>	<b>CPUC</b>	<b>Comment</b>
	X	

<sup>2</sup> The Division of Ratepayer Advocates (DRA) was renamed the Office of Ratepayer Advocates (ORA) effective September 26, 2013, pursuant to Senate Bill No. 96 (Budget Act of 2013), which was approved by the Governor on September 26, 2013.

**PART III: REASONABLENESS OF REQUESTED COMPENSATION****A. General Claim of Reasonableness (§§ 1801 & 1806):**

<b>a. Concise explanation as to how the cost of Claimant's participation bears a reasonable relationship with benefits realized through participation:</b>	<b>CPUC Verified</b>
<p>The only substantive issues addressed by DisabRA were those focused on the unique needs of people with disabilities, including physical access to SCE's services and facilities and communication access for disabled customers who cannot access information presented in standard formats. These issues were expressly found to be within the scope of the proceeding and built on an agreement reached in the prior GRC cycle. The separate agreement negotiated between SCE and DisabRA and adopted in the final decision was found to be in the public interest and was approved without modification. Prior to the agreement being finalized, DisabRA supported its litigation position through submission of expert testimony and other litigation activity in order to ensure that it could pursue its goals for improved accessibility at hearing if no settlement could be reached. These were appropriate actions as an active party to obtain benefits for the disabled consumers whose interests were at issue. DisabRA also appropriately acted in accordance with the settlement reached during the prior GRC to oversee implementation of that agreement and obtain the benefits of that agreement for its constituency.</p>	<p>After the disallowances we make to this claim, the remainder of DisabRA's hours is reasonable.</p>
<p><b>b. Reasonableness of Hours Claimed.</b></p> <p>The total amount of time claimed by DisabRA is modest, particularly given the scope and length of this proceeding, and it represents DisabRA's focused attention on those limited issues where it was uniquely placed to address the needs of its constituency. Beyond its litigation and settlement efforts to address accessibility issues, DisabRA monitored the complex proceeding, while keeping the total amount of time spent on this effort constrained.</p> <p>In its NOI, DisabRA estimated that it would spend 285 hours working on the merits of this proceeding, including monitoring the implementation of the prior MOU. In this request, DisabRA provides time records showing 253 hours of work on the merits. This amount of time was spent to oversee access improvements and to secure ongoing commitments to SCE customers with disabilities. These benefits will accrue to all disabled customers, but no individual customer would have had the resources to address access issues individually.</p> <p>In addition to the overall reasonableness of the claim, and the consistency with the NOI estimates, DisabRA notes that its achievements were not impacted by the length of time it took for the overall GRC process to be completed. Despite the substantial activity in the proceeding after the negotiation of the settlement, DisabRA spent only very modest amounts of time following the overall proceedings (including the proposed decision and comments), and did not make any substantive filings during that portion of the proceeding.</p>	<p>After the disallowances we make to this claim, the remainder of DisabRA's hours is reasonable.</p> <p>The described implementation costs are in connection with D.09-03-025 in A.07-11-011. As such, all costs associated with implementation of D.09-03-025 are denied without prejudice. DisabRA may seek to late-file intervenor compensation for implementation cost authorized by D.09-03-025. The amount claimed by DisabRA that is</p>

	considered in this proceeding is \$57,031.05. in this proceeding is \$57,031.05 [\$65,992.05 - \$8,961.00].
<p><b>c. Allocation of Hours by Issue</b></p> <p>As detailed in the submitted time records, the issues addressed by DisabRA are identified as “Implementation,” which includes work surrounding monitoring of the implementation of the settlement adopted in the 2009 GRC, “Accessibility,” which includes all work surrounding the negotiation and adoption of the Settlement Agreement in this GRC, and “General Participation,” which includes all time spent on following the general procedural developments through the course of this proceeding.</p> <p>While DisabRA indicated in its NOI, filed on March 1, 2011, that it might seek to address SCE’s overall revenue request and the impact of the revenue request on its constituents, it eventually determined that it would not take up these issues.</p> <p>Overall, the time spent on various issues for which compensation is sought in this request can be broken down as follows:</p> <p>Implementation of prior MOU: 32.8 hours (out of 253 hours total), or 13%</p> <p>Accessibility: 189.4 hours (out of 253 hours total), or 75%</p> <p>General Participation: 29.8 hours (out of 253 hours total) or 12%</p> <p>Time spent on compensation is addressed separately, at half the standard hourly rate.</p>	<p>After the disallowances we make to this claim, the remainder of DisabRA’s hours is reasonable.</p>

**B. Specific Claim:\***

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
Melissa W. Kasnitz	2009	0 <sup>3</sup>	\$420	D.09-07-017	\$ 0		\$420	\$0
Karla Gilbride	2009	0 <sup>4</sup>	\$160	D.10-04-024	\$0	0	\$160	\$0
Ron Elsberry	2009	0 <sup>5</sup>	\$420	D.09-10-025	\$0	0	\$420	\$0
Melissa W. Kasnitz	2010	1.8 <sup>6</sup>	\$420	D.10-07-013	\$756.00	1.8	\$420	\$756.00
Kara Werner	2010	12.9	\$150	D.12-03-051	\$1,935.00	12.9	\$150	\$1,935.00
Melissa W. Kasnitz	2011	42.9	\$420	D.12-03-051	\$18,018	42.9	\$420	\$18,018.00
Kara Werner	2011	112.1 <sup>7</sup>	\$160 <sup>8</sup>	D.12-03-051	\$17,936.00	112.1	\$160	\$17,936.00
Rebecca Williford	2011	38.3 <sup>9</sup>	\$160	D.12-07-017	\$6,128.00	38.3	\$160	\$6,128.00
Dmitri Belser	2011	11.6	\$225	See Comment 7,	\$2,610.00	11.6	\$225	\$2,610.00

<sup>3</sup> In DisabRA's original claim, the total hours Melissa Kasnitz spent working in 2009 was 7.2. According to DisabRA's timesheets, all of these hours concern issues in connection with the implementation of D.09-03-025. Thus, this time is eliminated from this claim and is denied without prejudice.

<sup>4</sup> In DisabRA's original claim, the total hours Karla Gilbride spent working in 2009 was 9.8. According to DisabRA's timesheets, all of these hours concern issues in connection with the implementation of D.09-03-025. Thus, this time is eliminated from this claim and is denied without prejudice.

<sup>5</sup> In DisabRA's original claim, the total hours Ron Elsberry spent working in 2009 was 2.3. According to DisabRA's timesheets, all of these hours concern issues in connection with the implementation of D.09-03-025. Thus, this time is eliminated from this claim and is denied without prejudice.

<sup>6</sup> In DisabRA's original claim, the total hours Melissa Kasnitz spent working in 2010 was 7.1. After reviewing DisabRA's timesheets, 5.3 of these hours concern Implementation issues. These 5.3 hours are eliminated from this entry and denied without prejudice. The new entry for Kasnitz in 2010 is 1.8 [7.1 – 5.3].

<sup>7</sup> In DisabRA's original claim, the total hours Kara Werner spent working in 2011 was 116.1. After reviewing DisabRA's timesheets, 4 of these hours concern Implementation issues. These 4 hours are eliminated from this entry and denied without prejudice. The new entry for Werner in 2011 is 112.1 [116.1-4].

<sup>8</sup> Please note, in DisabRA's timesheets they bill Rebecca Williford's Implementation hours at \$150 per hour instead of \$160. This error has been corrected in calculating this claim.

<sup>9</sup> In DisabRA's original claim, the total hours Rebecca Williford spent working in 2011 was 39.8. After reviewing DisabRA's timesheets, 1.5 of these hours concern Implementation issues. These 1.5 hours are eliminated from this entry and denied without prejudice. The new entry for Williford in 2011 is 38.3 [39.8-1.5].

				below. Invoice attached with costs (but only included once in totals)				
Logan Hopper	2011	12.0	\$200	See Comment 8, below. Invoice attached with costs (but only included once in totals)	\$2,400.00	12.0	\$200	\$2,400.00
Melissa W. Kasnitz (CforAT)	2011	1.9	\$420	D.12-03-051; see Comment 9, below.	\$798.00	1.9	\$420	\$798.00
Melissa W. Kasnitz (CforAT)	2012	4.0	\$445	See Comment 10, below.	\$1,780.00	4.0	\$430	\$1,720.00
	<b>Subtotal:</b>				<b>\$52,361.00</b>		<b>Subtotal:</b>	<b>\$49,162.94<sup>10</sup></b>

<sup>10</sup> \$52,301.00 less 6% for General Participation Issues. Please see comments below.



OTHER FEES <sup>11</sup>								
Describe here what OTHER HOURLY FEES you are Claiming (paralegal, travel **, etc.):								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
Paralegal	2011	5.3	\$110	D.10-07-013	\$583.00	5.3	\$110	\$583.00
	Subtotal:				\$583.00	Subtotal:		\$583.00
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
Melissa W. Kasnitz	2011	0.9	\$210	½ standard hourly rate	\$189.00	0.9	\$210	\$189.00
Kara Werner	2011	2.3	\$80	½ standard hourly rate	\$184.00	2.3	\$80	\$184.00
Paralegal	2011	1.8	\$55	½ standard hourly rate	\$99.00	1.8	\$55	\$99.00
Melissa W. Kasnitz (CforAT) (see Comment 10, below)	2013	15.5	\$222.50	½ standard hourly rate	\$3,448.75	15.5	\$220.00	\$3,410.00
	Subtotal:				\$3,920.75	Subtotal:		\$3,882.00
COSTS								
#	Item	Detail			Amount	Amount		
1	Expert Fees – Dmitri Belser	11.6 hours at \$225 per hour. Invoice attached, but compensation is addressed above as an expert fee.			\$0			\$0
2	Expert Fees – Logan Hopper	12.0 hours at \$200 per hour. Invoice attached, but compensation is addressed above as an expert fee.			\$0			\$0
3	Postage (DisabRA)	Costs for mailing hard copies of service documents to ALJ and Assigned Commissioner			\$16.30			\$16.30
4	Printing/Copy Costs (DisabRA)	In-house printing and copying costs for documents that were relevant to issues of concern for its constituency			\$150			\$150.00
Subtotal:					\$166.30	Subtotal:		\$166.30
TOTAL REQUEST \$:					\$57,031.05	TOTAL AWARD \$:		53,794.24

<sup>11</sup> All 2009 paralegal fees have been eliminated from this section. Paralegal time spent in 2009 concern Implementation issues. Thus, the 2.7 hours or paralegal time spent in 2009 is denied without prejudice.

\*We remind all intervenors that Commission staff may audit their records related to the award and that intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Claimant's records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.

\*\*Travel and Reasonable Claim preparation time typically compensated at ½ of preparer's normal hourly rate

Attorney	Date Admitted to CA BAR <sup>12</sup>	Member Number	Actions Affecting Eligibility (Yes/No?) If "Yes", attach explanation
Melissa Kasnitz	December 24, 1992	162679	No; Please note from January 1, 1993 until January 25, 1995 and January 1, 1996 until February 19, 1997 Ms. Kasnitz was an inactive member of the California Bar.
Ronald Elsberry	December 11, 1987	130880	No
Karla Gilbride	July 17, 2009	264118	No
Rebecca Williford	June 2, 2010	269977	No
Kara Werner	December 20, 2010	274762	No

**C. Disability Rights Advocates' Additional Comments and Attachments:**

Attachment or Comment #	Description/Comment
1	<b>Certificate of Service</b>
2 (Attachment)	Detailed time records for DisabRA's work on the merits of this proceeding, including designation by issue are attached as separate files for each calendar year.
3 (Attachment)	Detailed time records for DisabRA's work on compensation issues are attached.
4 (Attachment)	Detailed time records for CforAT's work on the merits of this proceeding are attached.
5 (Attachment)	Detailed time records for CforAT's work on compensation issues are attached.
6 (Attachments)	Receipts documenting expert costs paid by DisabRA for Dmitri Belser and Logan Hopper are attached.
7 (Comment)	<p><b>Justification for 2011 Rate for Dmitri Belser:</b></p> <p>DisabRA is requesting compensation for expert fees for Mr. Belser at \$225 per hour, the rate at which they have paid him directly. Several prior requests for compensation for Mr. Belser have been submitted by CforAT requesting 2011 rate of \$225 per hour for Dmitri Belser, including a compensation request in A.10-03-014, submitted on May 3, 2012 and a</p>

<sup>12</sup> This information may be obtained at: <http://www.calbar.ca.gov/>.

	<p>compensation request in I.11-06-009, submitted on October 12, 2012; no action has yet been taken either of these pending request.</p> <p>As described in the compensation requests submitted by CforAT, Mr. Belser is the Executive Director of the Center for Accessible Technology, and he has frequently served as an expert witness in CPUC proceedings addressing effective communication with people with disabilities, including work as an outside expert for DisabRA and in-house work for CforAT.</p> <p>Mr. Belser's last approved rate before the CPUC was \$125 per hour for work performed in 2008, which was the rate he was then billing clients of CforAT. (<i>See</i> D.09-10-025.) This rate was unchanged since 2006. (<i>See</i> D.08-01-033; <i>see also</i> D.11-07-024, D.09-03-018.) In 2011, based on an understanding that his prior rate was well below the market rate charged by other access experts working in similar areas, Mr. Belser raised his rate to \$225 per hour.</p> <p>As noted in Mr. Belser's testimony in this and other proceedings, Mr. Belser has over 30 years of experience working in the disability community, with a great deal of focus on issues of effective communication. He has led CforAT for 12 years, and has been the president of the Ed Roberts Campus, designed as a hub for a variety of organizations serving the disability community in Berkeley and a center for disability rights. His expertise has never been challenged in this, or any other proceeding.</p> <p>In 2011, the CPUC's approved rate range for experts with any amount over 13 years of experience was \$155 - \$390 (<i>see</i> Resolution ALJ-267 at 5); the rate of \$225 per hour sought for Mr. Belser is well within that range. The proposed new rate is also now consistent with the rates that other access experts charge for comparable work. For example, Gregg Vanderheiden is an expert on accessible technology, particularly involving self-service kiosks, and he is the head of the Trace Research Center at the University of Wisconsin at Madison. His regular hourly rate that he charges to consult on access issues is \$300 per hour. Another technology access organization, the Paciello Group, provides professional consulting, technology solutions, and monitoring services to help government agencies, technology vendors, e-commerce corporations, and educational institutions provide technology access. The hourly rate for services from the Paciello Group is \$262 per hour.</p> <p>Experts addressing internet accessibility often charge lower rates for evaluation and remediation work, but charge up to \$350 per hour for senior staff. In its work for private clients addressing web access, CforAT charges a blended rate of \$185 per hour regardless of who is performing the work. This is consistent with a rate of \$225 for Mr. Belser, as the most senior person on the team, together with lower rates for the more junior staff.</p>
8 (Comment)	<p><b>Justification of 2011 Rate for Expert Logan Hopper:</b></p> <p>DisabRA is requesting compensation for expert fees for Mr. Hopper at \$200 per hour, the rate at which they have paid him directly. Mr. Hopper has not previously had a rate set by the Commission.</p> <p>Mr. Hopper has been working in the field of architecture and physical accessibility for people with disabilities for over 30 years. His experience in the field was detailed in his testimony and includes substantial prior experience on the same issues for which his opinions were given in this proceeding. His hourly rate is routinely paid by clients of his consulting services, which have included PG&amp;E and the Sempra utilities. This rate is well within the ranges (\$155-\$390 per hour) set by the Commission for experts with any amount over 13 years of experience in Resolution ALJ-267.</p>

9 (Comment)	<p><b>Justification of 2011 Rate for Melissa W. Kasnitz at CforAT:</b></p> <p>While CforAT has multiple compensation requests pending, at this time the Commission has not set any rate for Ms. Kasnitz at CforAT. For 2011, Ms. Kasnitz has regularly requested the same rate for her work at CforAT as has been approved for her work at DisabRA</p>
10 (Comment)	<p><b>Justification of 2012 Rate for Melissa W. Kasnitz at CforAT:</b></p> <p>At this time, multiple compensation requests including time expended by Melissa Kasnitz in 2012 are pending, but no 2012 rate has been set. As set forth in CforAT's pending compensation request in I.11-06-009, which was filed after Resolution ALJ-281 addressing intervenor rates for 2012 was issued, CforAT is seeking a rate of \$445 per hour for Melissa Kasnitz in 2012. This includes the COLA provided in ALJ-281, which would increase Ms. Kasnitz's rate from \$420 to \$430. It also includes a request for an additional \$15 per hour based on increased experience and skill. The reasoning behind this request for an increase based on experience and skill was set out in full in CforAT's pending compensation request in A.08-12-021 and provided in detail again in the compensation request submitted in Investigation (I.) 11-06-009.</p> <p>Ms. Kasnitz's work on this compensation request was performed in calendar year 2013. However, Ms. Kasnitz is seeking compensation for this time at ½ of her hourly rate for 2012. Ms. Kasnitz reserves her right to revisit her appropriate rate for 2013 in a future filing.</p>

#### D. CPUC Disallowances & Adjustments:

#	Reason
1. 2011-Attorney, Expert, and Advocate Fees (Participation)	<p>Disallow 6% (versus 12% claimed) of total award attributed to "General Participation" that is not adequately justified. Disallow clerical and administrative tasks including calendaring, scheduling and rescheduling, determining availability of personnel for hearings, etc.</p> <p>DisabRA claims should appropriately focus attention on limited issues where it was uniquely placed to address the needs the needs of its constituency and make a substantial contribution to the final decision. While DisabRA indicated in its NOI, filed on March 1, 2011, that it might seek to address SCE's overall revenue request and impact of the revenue request on its constituents, it eventually determined that it would not take up these issues.</p> <p>While DisabRA submitted some limited testimony, it didn't offer briefs, participate in evidentiary hearings, cross-examine witnesses, etc. DisabRA did not actively participate in more general aspects of the proceeding.</p>
2. Adoption of Melissa Kasnitz's 2012 hourly rate.	<p>After reviewing CforAT's comments above, the Commission awards Ms. Kasnitz a rate of \$430 per hour for work completed in 2012. Ms. Kasnitz has 18 years of experience as an attorney, and has participated in many Commission proceedings. The rate of \$430 per hour is reasonable given Ms. Kasnitz years of experience. In addition, the rate of \$430 takes into account the 2.2% Cost-of-Living Adjustment adopted in Resolution ALJ-281.</p>

3. Adoption of Melissa Kasnitz's 2013 hourly rate.	Abiding by Resolution ALJ-287, 2013 hourly rates have been raised to reflect the 2.0% Cost-of-Living Adjustment adopted by the resolution. Here, Ms. Kasnitz 2013 full hourly rate would be set at \$440 per hour. However, since the only work Ms. Kasnitz performed in 2013 was the preparation of the Intervenor Compensation Claim; her half-time hourly rate is reflected as \$220 per hour.
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#### **PART IV: OPPOSITIONS AND COMMENTS**

<b>A. Opposition: Did any party oppose the Claim?</b>	No
<b>B. Comment Period: Was the 30-day comment period waived (<i>see</i> Rule 14.6(2)(6))?</b>	Yes

#### **FINDINGS OF FACT**

1. Disability Rights Advocates has made a substantial contribution to Decision 12-11-051.
2. The requested hourly rates for Disability Rights Advocates' representatives are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses are reasonable and commensurate with the work performed.
4. The total of reasonable contribution is \$53,794.24.

#### **CONCLUSION OF LAW**

1. The Claim, with any adjustment set forth above, satisfies all requirements of Public Utilities Code §§ 1801-1812.

2.

**ORDER**

1. Disability Rights Advocates is awarded \$53,794.24..
2. Within 30 days of the effective date of this decision, Southern California Edison Company shall pay Disability Rights Advocates the total award. Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning April 17, 2013, 75<sup>th</sup> day after the filing of Disability Rights Advocates' request, and continuing until full payment is made.
3. The comment period for today's decision is waived.

This decision is effective today.

Dated \_\_\_\_\_, at San Francisco, California.

**APPENDIX****Compensation Decision Summary Information**

<b>Compensation Decision:</b>		<b>Modifies Decision?</b>	<b>No.</b>
<b>Contribution Decision(s):</b>	D1211051		
<b>Proceeding(s):</b>	A1011015		
<b>Author:</b>	ALJ Melanie Darling		
<b>Payer(s):</b>	Southern California Edison Company		

**Intervenor Information**

<b>Intervenor</b>	<b>Claim Date</b>	<b>Amount Requested</b>	<b>Amount Awarded</b>	<b>Multiplier?</b>	<b>Reason Change/Disallowance</b>
Disability Rights Advocates	2/1/2013	\$57,031.05	\$53,794.24	No.	

**Advocate Information**

<b>First Name</b>	<b>Last Name</b>	<b>Type</b>	<b>Intervenor</b>	<b>Hourly Fee Requested</b>	<b>Year Hourly Fee Requested</b>	<b>Hourly Fee Adopted</b>
Melissa	Kasnitz	Attorney	DisabRA	\$420	2009	\$420
Melissa	Kasnitz	Attorney	DisabRA	\$420	2010	\$420
Melissa	Kasnitz	Attorney	DisabRA	\$420	2011	\$420
Melissa	Kasnitz	Attorney	CforAT	\$420	2011	\$420
Melissa	Kasnitz	Attorney	CforAT	\$445	2012	\$430
Melissa	Kasnitz	Attorney	CforAT	\$445	2013	\$440
Karla	Gilbride	Attorney	DisabRA	\$160	2009	\$160
Kara	Werner	Attorney	DisabRA	\$150	2010	\$150
Kara	Werner	Attorney	DisabRA	\$160	2011	\$160
Ron	Elsberry	Attorney	DisabRA	\$420	2009	\$420
Rebecca	Williford	Attorney	DisabRA	\$160	2011	\$160
Dmitri	Belser	Expert	DisabRA	\$225	2011	\$225
Logan	Hopper	Expert	DisabRA	\$200	2011	\$200
		Paralegal	DisabRA	\$110	2009	\$110
		Paralegal	DisabRA	\$110	2011	\$110

**(END OF APPENDIX)**